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18 UNITED STATES DISTRICT COURT  
19  
20 NORTHERN DISTRICT OF CALIFORNIA  
21  
22 SAN FRANCISCO DIVISION

23 ANDREW OKUSKO, individually and on  
24 behalf of all others similarly situated,

25 Plaintiff,

26 v.

27 DYNAMIC LEDGER SOLUTIONS, INC.,  
28 THE TEZOS FOUNDATION, KATHLEEN  
BREITMAN, ARTHUR BREITMAN, and  
TIMOTHY DRAPER,

Defendants.

Case No. 3:17-cv-06829-RS

**JOINT STIPULATION AND  
PROPOSED ORDER EXTENDING  
TIME FOR DYNAMIC LEDGER  
SOLUTIONS, KATHLEEN  
BREITMAN AND ARTHUR  
BREITMAN TO RESPOND TO  
COMPLAINT AND MOTION FOR  
PRELIMINARY INJUNCTION**

1           Defendant Dynamic Ledger Solutions, Inc. (“DLS”), Defendants Kathleen Breitman, and  
 2 Arthur Breitman (together, the “Breitman Defendants”), and plaintiff Andrew Okusko (“Okusko”)  
 3 (collectively, the “Appearing Parties”) stipulate pursuant to Civil L. R. 6-1(a) and 6-1(b) to extend the  
 4 time for DLS and the Breitman Defendants to respond to the putative class action complaint (the  
 5 “Okusko Complaint”) (Dkt. No. 1) filed in the above-captioned action (the “Instant Action”) and to  
 6 the Motion for Preliminary Injunction (Dkt. No. 9) as follows:

7           WHEREAS, on November 28, 2017, Okusko filed the Okusko Complaint alleging violations  
 8 of the Securities Act;

9           WHEREAS, Securities Act claims brought as class actions pursuant to the Federal Rules of  
 10 Civil Procedure may be subject to the lead plaintiff provisions of the Private Securities Litigation  
 11 Reform Act (“PSLRA”). *See* 15 U.S.C. § 77z-1;

12           WHEREAS, on December 1, 2017, Okusko served Defendant DLS with the Summons and  
 13 Complaint in the Instant Action;

14           WHEREAS, on December 4, 2017, Okusko filed a Motion for Preliminary Injunction against  
 15 DLS, the Breitman Defendants, and the Tezos Foundation;

16           WHEREAS, the Breitman Defendants had not been served with the Complaint at the time the  
 17 Motion for Preliminary Injunction was filed;

18           WHEREAS, the Breitman Defendants have agreed to waive service as of the date of this  
 19 Stipulation;

20           WHEREAS, the Appearing Parties have met and conferred and agree that DLS and the  
 21 Breitman Defendants should respond to the Motion for Preliminary Injunction on the same schedule,  
 22 and have thus agreed that the Appearing Parties’ deadline for the filing of an opposition to Okusko’s  
 23 pending Motion for Preliminary Injunction should be extended until December 29, 2017, and the  
 24 deadline for Okusko’s reply should be extended to January 5, 2018;

25           WHEREAS, the Appearing Parties request that the Motion for Preliminary Injunction be heard  
 26 on January 11, 2018, as originally noticed;

27           WHEREAS, DLS and the Breitman Defendants agree not to raise this extension of time as a  
 28 defense to Okusko’s pending Motion for Preliminary Injunction, and Okusko agrees not raise it as a

1 rebuttal to any arguments raised or as a reason to grant the proposed Preliminary Injunction;

2 WHEREAS, these extensions will not alter the date of any event or any deadline already fixed  
3 by order of this Court; and

4 WHEREAS, there have not been any previous time modifications in this case.

5 NOW, THEREFORE, the Appearing Parties, hereby stipulate as follows:

- 6 1. DLS and the Breitman Defendants shall not be required to move to dismiss or otherwise  
7 respond to the Okusko Complaint filed in the Instant Action until 30 days after the  
8 Court appoints a lead plaintiff and lead counsel, and lead plaintiff files and serves a  
9 consolidated complaint or a notice stating that lead plaintiff designates a previously  
10 filed complaint as operative. Pursuant to Civil L. R. 6-1(a), this paragraph shall be  
11 effective upon the filing of this Stipulation with the Court.
- 12 2. DLS and the Breitman Defendants' opposition to Okusko's Motion for Preliminary  
13 Injunction will be due on December 29, 2017.
- 14 3. Okusko's reply brief will be due on January 5, 2018.
- 15 4. The hearing on the Motion for Motion for Preliminary Injunction shall be heard on  
16 January 11, 2018, as originally noticed.

17 **IT IS SO STIPULATED.**

1 Dated: December 14, 2017

2 **LEVI & KORSINSKY, LLP**

BAKER MARQUART LLP

4 */s/ Rosemary M. Rivas*  
5 Rosemary M. Rivas (209147)

*/s/ Brian E. Klein*  
Brian E. Klein (258486)

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7 Attorneys for Defendant  
8 DYNAMIC LEDGER SOLUTIONS, INC.,  
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10 **COOLEY LLP**

11 */s/ Patrick E. Gibbs*  
12 Patrick E. Gibbs (183174)

13 Attorneys for Defendant  
14 DYNAMIC LEDGER SOLUTIONS, INC.,  
a Delaware Corporation

15 **FILER'S ATTESTATION**

16 Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, Patrick E. Gibbs hereby attests  
17 that concurrence in the filing of this document has been obtained from all the signatories above.

18 Dated: December 14, 2017

COOLEY LLP

21 */s/ Patrick E. Gibbs*  
22 Patrick E. Gibbs

## **PROPOSED ORDER**

Based on the Stipulation submitted by the parties, and good cause being shown therefore, the court hereby GRANTS the Appearing Parties' Stipulation. The Court hereby orders as follows:

1. DLS and the Breitman Defendants shall not be required to move to dismiss or otherwise respond to the Okusko Complaint filed in the Instant Action until 30 days after the Court appoints a lead plaintiff and lead counsel, and lead plaintiff files and serves a consolidated complaint or a notice stating that lead plaintiff designates a previously filed complaint as operative. Pursuant to Civil L. R. 6-1(a), this paragraph shall be effective upon the filing of this Stipulation with the Court.

## IT IS SO ORDERED.

Dated: December 15, 2017

A handwritten signature in blue ink, appearing to read "Richard Schaefer".

Hon. Richard Seeborg  
United States District Court Judge